



# Ordinary Council Meeting

## Minutes

2 June 2022

### Open Council Meetings – Procedures

1. All Council meetings are open to the public, except for matters raised by Council under “confidential items”.
2. Members of the public may ask a question at an ordinary Council meeting under “public question time”.
3. Members of the public who are unfamiliar with meeting procedures are invited to seek advice at the meeting. If unsure about proceedings, just raise your hand when the presiding member announces public question time.
4. All other arrangements are in accordance with the Council’s standing orders, policies and decisions of the Council.

**Undersigned**

**Chief Executive Officer**

**Bunbury-Harvey Regional Council**  
Lot 45 Stanley Road, Wellesley  
Western Australia 6233

*Correspondence to:*  
Post Office Box 111  
Australind WA 6233

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### ATTACHMENTS

- Attachment 1** - Financial Statements for the period ending 31 March 2022 (Appendices 1 – 8)  
**Attachment 2** - Financial Statements for the period ending 30 April 2022 (Appendices 1 – 8)  
**Attachment 4** - Summary of Accounts paid for period ending 30 April 2022  
**Attachment 4** - Summary of Accounts paid for period ending 30 April 2022  
**Attachment 5** - Extract from LG Act 1997; Subsection 6.11



## VISION

To develop, implement and maintain innovative and sustainable waste reduction, recycling and landfilling services while managing waste facilities with best practice standards for the councils of the Wellington Region and beyond.

To provide sustainable waste minimisation, recycling and alternative waste treatment services to an informed community while reducing the environmental impact of waste and maximising the conservation of natural resources through reduced material use and increased resource recovery

## MISSION

To ensure the delivery of an integrated, cost-effective and environmentally sound waste management system and to promote sustainable community programs and policies ensuring that the health, diversity and productivity of the environment is maintained or enhanced for the benefit of future generations.

Reduce the environmental impact of waste and maximise conservation of natural resources through reduced overall material use and increased materials and energy recovery.

## VALUES

### *Excellence:*

To provide best practice facilities and waste services to our community through the development of quality controls and continuous improvements.

### *Leadership:*

Having a clear vision and direction, that engages with key stakeholders and our community.

### *Integrity:*

Acting with a level of trust, respect, honesty, hard work, communication and shared responsibility that is exhibited by its people.

### *Accountability:*

To ensure the collection and management of solid waste and recovered materials in an environmentally sound manner and in accordance with regulatory requirements and the Department of Water and Environmental Regulation licence conditions.

### *Innovation:*

Embrace new and better ways to achieve improved results through creativity, inventiveness and teamwork.

### *Respect*

We value diversity and respect and are committed to work towards integrating the principles of Equal Employment Opportunity and ensure that the work environment is free from harassment and discrimination. We value and respect all members of our community.



# Bunbury-Harvey Regional Council

## Minutes

Minutes of the Ordinary Meeting of the Bunbury-Harvey Regional Council held in the Administration Complex, Stanley Road Waste Management Facility, Lot 45 Stanley Road, Wellesley on Thursday, 2 June 2022 at 4.15pm.

## Minutes

### 1. Declaration of Opening / Announcement of Visitors

The meeting was declared open by Cr Tresslyn Smith at 4.17pm

These Minutes were confirmed as being true and correct by Council on [Click here to enter a date.](#) by Council Resolution: [Click here to enter text.](#)

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**Cr Tresslyn Smith**  
Chairperson

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**Mr Peter Keane**  
Chief Executive Officer

### 2. Attendances and Apologies

#### 2.1. Attendances

<b><i>Council Members:</i></b>	<b>Representing</b>
Cr Tresslyn Smith (Chairperson)	City of Bunbury
Cr Wendy Dickinson (Deputy Chairperson)	Shire of Harvey
Cr Karen Turner	City of Bunbury
Cr John Bromham	Shire of Harvey
Cr Ben Andrew	City of Bunbury
<b><i>Executive Leadership Team (Non-Voting)</i></b>	<b>Representing</b>
Mr Peter Keane	Chief Executive Officer (BHRC)
Mr Mal Osborne	Chief Executive Officer (City of Bunbury)
<b><i>Officers (Non-Voting)</i></b>	<b>Representing</b>
Mrs Taryn York	Council Meeting Support Officer
<b><i>Others(Non-Voting)</i></b>	<b>Representing</b>
Hadyn Jones	Shire of Harvey

#### 2.2. Apologies

Ms Annie Riordan  
Mr Rick Lotznicker

### 3. Public Question Time

Nil

#### 4. Summary of Response to previous Questions taken on notice

The Chairperson advised that questions were taken on notice from Cr John Bromham. The questions and answers are provided below:

**Question 1** Do we have a business plan for FOGO and a transfer station as a contingency? If so, what costs will be provided for post closure and if not why?

**Answer 1** *Current we do not any contingency plan for FOGO intake. The first two steps to resolve current compliance and available area are listed below in Response no. 2. We will also submit to Council in the FY22/23 budget for the inclusion of capital for replacement & larger throughput screening unit to support the screening of both 50mm and 10mm in the drier months (6 months – approx. Oct to March). Currently there is no provision for post-closure. From my understanding limited works are required to remediate the site upon its closure, which would align with the completion of the capital works for the new compost facility (Current planning for completion of Stage 2 in FY25/26)*

**Question 2** What is happening to FOGO now if Banksia Road is full? What is the plan for Banksia Road?

**Answer 2** *At the April Special Council meeting, Council resolved to fund the transport of up to 10,000t of 50mm processed product from Banksia to Stanley Rd, for incorporating into the capping subsoil layer. Council also resolved to go to market with an Expression of Interest to address the additional 25,000t of pasteurised but unscreened product, to remove it from the Banksia Rd site. In the FY22/23 budget, we will be asking for budget for a new larger screener to allow the screening of up to 1000t product of both 50mm and 10mm per fortnight. This will allow the site to operate more effectively and ensure screening of all 10mm product during Oct-April period, for sale to the market, whilst keeping up with 50mm screening. This is a short-term solution until Phase 1 of the new compost facility can be built.*

**Question 3** There have been complaints about odour from the community, can the material at Banksia Road be used for covering? Is there a need for flaring of methane gas? Daily cover quality, how do we ensure?

**Answer 2** *Since the non-acceptance of carcasses or milk products, odour generation from the site has reduced substantially. The product has been pasteurised; therefore, the potential for odour has been significantly reduced. As above we will be utilising at least 10,000t in the capping works, with slight design changes underway to accommodate this product. Within the future capping areas (Phase 3 to 5), all areas have been drilled in preparation for gas management pipework to be installed to the current flare system. As a comment - The volume of gas generated from the landfill mass is too low for commercial capture and off-site use. We are currently utilising 50mm screened product as daily cover on site.*

**Question 4** If we went ahead with the landfill as planned, will this leave us with enough time to provide funds for post closure?

**Answer 4** *As planned in the business case, the funding for the closure in the final 3 years would be funding from operating surpluses generated.*

**Question 5** How long to turn a profit so post closure is achieved without impact of parent councils?

**Answer 5** *It is anticipated that surpluses would be generated from Year 1 onward, to either partial fund or fully fund subsequent stages and closure costs.*

**Question 6** What are organics worth at the quality required to enter the market?

**Answer 6** *We currently have the compost priced at \$27.50 incl GST.*

**Question 7** What is the present market price for quality organics?

**Answer 7** *I am not sure of the present market price of quality organics; however, it may be viable into the future to consider a blended product being bagged and sold through retails. The current challenge in the marketplace is the contamination levels, even though they meet Australian Compost standards.*

**Question 8** Are present staff numbers sustainable?

**Answer 8** *We have commenced strategic recruitment to replace staff that have left the organisation, or we require additional skills to support current operational needs. Staffing numbers have dropped significantly via*

natural attrition, in line with minimum labour requirements, however, this is currently undergoing a review to ensure we have the right skills in the right place at the right time.

**Question 9** How do we know that business will come back as outlined, won't they have contracts with the other site (Cleanaway)?

**Answer 9** We have factored 17,500t of commercial waste to be incorporated into the Lined Cell Business Case. This is priced at \$80 per tonne in first year of operation.

**Question 10** Could contaminated material be moved to Cleanaway so they can reprocess it or another organics producer?

**Answer 10** As above, we will go to market with an Expression of Interest for the 25,000t unscreened product to potentially be taken by an alternate organic provider, or another provider that will repurpose the product rather than send it to Landfill.

**Question 11** Capping requirement of present cell to be completed, by when?

**Answer 11** We expect to go to tender this month, June 2022, and anticipate the successful contractor to commence works within 3 months of award, with a 4 month works completion timeframe.

## 5. Applications for Leave of Absence

Cr Bromham is on an approved leave of absence from 14 June to 25 July 2022.

## 6. Confirmation of Minutes

The minutes of the Ordinary meeting of Council held on 31 March 2022, are confirmed as a true accurate record.

**MOVED BY:** Cr Wendy Dickinson **SECONDED BY:** Cr John Bromham

**RESULT:** CARRIED /LOST 5 / 0

**RESOLUTION:** OC020622-1829

The minutes of the Ordinary meeting of Council held on 28 April 2022, are confirmed as a true accurate record.

**MOVED BY:** Cr Ben Andrew **SECONDED BY:** Cr John Bromham

**RESULT:** CARRIED /LOST 5 / 0

**RESOLUTION:** OC020622-1830

## 7. Petitions / Memorials / Presentations

Nil

## 8. Declarations of Interests

Nil

## 9. Announcements (by the presiding member without discussion)

Nil

## 10. Reports of Committees

Nil

## 11. Reports of Officers

### 11.1. Financial Statements for the period ending 31 March 2022

<b>Applicant / Proponent:</b>	Internal			
<b>Responsible Officer:</b>	Karen McDonald, Finance Manager			
<b>Responsible Manager:</b>	Peter Keane, Chief Executive Officer			
<b>Executive:</b>	Peter Keane, Chief Executive Officer			
<b>Authority / Discretion:</b>	Advocacy	<input checked="" type="checkbox"/>	Review	<input type="checkbox"/>
	Executive/Strategic	<input checked="" type="checkbox"/>	Quasi-Judicial	<input type="checkbox"/>
	Legislative	<input checked="" type="checkbox"/>	Information Purposes	<input type="checkbox"/>
<b>Attachment(s):</b>	<b>Attachment 1</b> – Financial Statements for the period ending 31 March 2022 (Appendices 1 – 8)			

#### Summary

The following comments are provided on the key elements of Council's Financial Performance:

#### 1. Statement of Comprehensive Income (attached at Appendix 1)

##### a. Year-to-date Financial Performance to 31 March 2022

	ACTUAL	BUDGET	VARIANCE	
• Year-to-date Income	4,148,647	4,124,596	24,051	Favourable
• Year-to-date Expenditure	(4,949,505)	(4,920,250)	(29,255)	Unfavourable
• Year-to-date Operating Surplus/(Deficit)	(800,858)	(795,654)	(5,204)	Unfavourable

#### 2. Statement of Financial Activity (attached at Appendix 3)

Closing Funding Surplus to 30 June 2022 is forecast at \$7,616.

#### 3. Capital Works (attached at Appendix 4)

	ACTUAL	BUDGET	VARIANCE	
• Year-to-date Capital Expenditure	12,963	(12,963)	0	

#### 4. Statement of Financial Position (attached at Appendix 5)

	Year-to-date	Forecast
• Current Assets of \$2,686,187		
o Cash and Cash Equivalents	1,859,355	2,742,738
o Trade and Other Receivables	802,783	564,509
o Prepayments	16,062	14,483
o Inventories	7,986	7,986

Current Liabilities of \$817,168 includes:

o Trade and Other Payables	417,675	469,353
o Provisions	399,494	448,449

• Working Capital (Current Assets <i>less</i> Current Liabilities) is:	1,869,019	1,824,936
• Equity (Total Assets <i>less</i> Total Liabilities) is:	6,833,284	6,387,036
• Reserves of \$1,792,130 includes:		

o Plant and Infrastructure Reserve	187,772	187,753
o Site Post Closure Rehabilitation Reserve	1,604,358	1,565,640
o Stanley Road Environmental Protection Lined Cell Construction Reserve	-	47,799
o Organics Processing Reserve	-	-

## 5. Investments

Total of \$1,798,081 includes:			
	Invested Funds \$	% of Total Funds	Max % of Total Funds Allowed
o Commonwealth Bank	605,774	34	75
o National Australia Bank	1,192,307	66	75
<b>TOTAL:</b>	<b>1,798,081</b>	<b>100</b>	

### *Executive Recommendation*

#### **That Council:**

Receive and accept the Financial Statements for period ending 31 March 2022 as presented to Council.

**MOVED BY:** Cr John Bromham

**SECONDED BY:** Cr Ben Andrew

**RESULT:** CARRIED /LOST 5 / 0

**RESOLUTION:** OC020622-1831

### *Background*

A financial management report is provided to Councillors on a monthly basis which includes the following summaries:

- Statement of Comprehensive Income (attached at **Appendix 1**)
- Banksia Road Operations (attached at **Appendix 2**)
- Statement of Financial Activity (attached at **Appendix 3**)
- Capital Works Expenditure Summary (attached at **Appendix 4**)
- Statement of Financial Position (attached at **Appendix 5**)
- Statement of Net Current Assets (attached at **Appendix 6**)
- Fees and Charges Summary (attached at **Appendix 7**)
- Debtors Report (attached at **Appendix 8**)

### *Legislative Compliance*

In accordance with the provisions of Section 6.4 of the Local Government Act 1995 and Regulations 34(1) of the Local Government (Financial Management) Regulations 1996, a Local Government is to prepare each month a Statement of Financial Activity (Attached at Appendix 3) reporting on the revenue and expenditure as set out in the annual budget under Regulations 22 (1) (d) for this month.

At the Council Meeting on 18 August 2021, Council adopted that a variance between actual and budget-to-date of greater than or equal to 10% and \$15,000 is considered to be a material variance for reporting purposes in the Statement of Financial Activity for 2022/2023.

### *Consultation*

Nil

### *Financial Implications*

As per the 2021/22 Financial Budget.

### *Statutory Environment*

Sections 12 and 13 of the Local Government (Financial Management) Regulations 1996 apply.



### Strategic Implications

Nil

### Policy Implications

Nil

### Officer Comment

The following is an explanation of significant variances identified in the Statement of Financial Activity:

<b>Total Operating Income</b> - Favourable. Due to: <ul style="list-style-type: none"><li>Higher volume of casual tipping fees</li><li>Higher volume of CDS</li></ul>	\$24,051
<b>Operating Expenses</b> - Unfavorable. Due to: <ul style="list-style-type: none"><li>Waste Transfer Station (employee costs) – Mark Hay termination (LSL &amp; AL)</li><li>Admin Professional Fees – Sampling of wood waste (Cardno)</li></ul>	(29,255)

### Voting Requirement

Simple Majority

## 11.2. Financial Statements for the period ending 30 April 2022

<b>Applicant / Proponent:</b>	Internal			
<b>Responsible Officer:</b>	Karen McDonald, Finance Manager			
<b>Responsible Manager:</b>	Karen McDonald, Finance Manager			
<b>Executive:</b>	Peter Keane, Chief Executive Officer			
<b>Authority / Discretion:</b>	Advocacy	<input checked="" type="checkbox"/>	Review	<input type="checkbox"/>
	Executive/Strategic	<input checked="" type="checkbox"/>	Quasi-Judicial	<input type="checkbox"/>
	Legislative	<input checked="" type="checkbox"/>	Information Purposes	<input type="checkbox"/>
<b>Attachment(s):</b>	<b>Attachment 2</b> – Financial Statements for the period ending 30 April 2022 (Appendices 1 – 8)			

### Summary

The following comments are provided on the key elements of Council's Financial Performance:

- Statement of Comprehensive Income (**attached at Appendix 1**)
  - Year-to-date Financial Performance to 30 April 2022

	ACTUAL	BUDGET	VARIANCE	
• Year-to-date Income	4,698,131	4,657,949	40,182	Favourable
• Year-to-date Expenditure	(5,473,337)	(5,454,018)	(19,319)	Unfavourable
• Year-to-date Operating Surplus/(Deficit)	(775,206)	(796,069)	(20,863)	Favourable

- Statement of Financial Activity (**attached at Appendix 3**)

Closing Funding Surplus to 30 June 2022 is forecast at \$7,616.

- Capital Works (**attached at Appendix 4**)

	ACTUAL	BUDGET	VARIANCE	
• Year-to-date Capital Expenditure	12,963	(12,963)	0	

#### 4. Statement of Financial Position (attached at Appendix 5)

• Current Assets of \$2,549,008	Year-to-date	Forecast
○ Cash and Cash Equivalents	2,006,746	2,155,760
○ Trade and Other Receivables	521,744	564,509
○ Prepayments	12,532	14,483
○ Inventories	7,986	7,986

Current Liabilities of \$605,449 includes:		
○ Trade and Other Payables	205,956	469,353
○ Provisions	399,494	448,449

• Working Capital (Current Assets less Current Liabilities) is:	1,943,559	1,824,936
• Equity (Total Assets less Total Liabilities) is:	6,858,936	6,387,036
• Reserves of \$1,792,135 includes:		
○ Plant and Infrastructure Reserve	187,773	187,753
○ Site Post Closure Rehabilitation Reserve	1,604,361	1,565,640
○ Stanley Road Environmental Protection Lined Cell Construction Reserve	-	47,799
○ Organics Processing Reserve	-	-

#### 5. Investments

Total of \$1,798,081 includes:			
	Invested Funds \$	% of Total Funds	Max % of Total Funds Allowed
○ Commonwealth Bank	605,774	34	75
○ National Australia Bank	1,192,307	66	75
<b>TOTAL:</b>	<b>1,798,081</b>	<b>100</b>	

#### *Executive Recommendation*

##### That Council:

Receive and accept the Financial Statements for period ending 30 April 2022 as presented to Council.

MOVED BY: Cr Wendy Dickinson

SECONDED BY: Cr Karen Turner

RESULT: CARRIED ~~LOST~~ 5 / 0

RESOLUTION: OC020622-1832

#### *Background*

A financial management report is provided to Councillors on a monthly basis which includes the following summaries:

- Statement of Comprehensive Income (attached at **Appendix 1**)
- Banksia Road Operations (attached at **Appendix 2**)
- Statement of Financial Activity (attached at **Appendix 3**)
- Capital Works Expenditure Summary (attached at **Appendix 4**)

- Statement of Financial Position (attached at **Appendix 5**)
- Statement of Net Current Assets (attached at **Appendix 6**)
- Fees and Charges Summary (attached at **Appendix 7**)
- Debtors Report (attached at **Appendix 8**)

**Legislative Compliance**

In accordance with the provisions of Section 6.4 of the Local Government Act 1995 and Regulations 34(1) of the Local Government (Financial Management) Regulations 1996, a Local Government is to prepare each month a Statement of Financial Activity (Attached at Appendix 3) reporting on the revenue and expenditure as set out in the annual budget under Regulations 22 (1) (d) for this month.

At the Council Meeting on 18 August 2021, Council adopted that a variance between actual and budget-to-date of greater than or equal to 10% and \$15,000 is considered to be a material variance for reporting purposes in the Statement of Financial Activity for 2022/2023.

**Consultation**

Nil

**Financial Implications**

As per the 2021/22 Financial Budget.

**Statutory Environment**

Sections 12 and 13 of the Local Government (Financial Management) Regulations 1996 apply.

**Strategic Implications**

Nil

**Policy Implications**

Nil

**Officer Comment**

The following is an explanation of significant variances identified in the Statement of Financial Activity:

<b>Total Operating Income</b> - Favourable. Due to: <ul style="list-style-type: none"> <li>• Higher volume of casual tipping fees</li> <li>• Higher volume of CDS</li> </ul>	\$40,182
<b>Operating Expenses</b> - Unfavorable. Due to: <ul style="list-style-type: none"> <li>• Admin Professional Fees – License amendments</li> </ul>	(19,319)

**Voting Requirement**

Simple Majority

### 11.3. Summary of Accounts paid for period ending 31 March 2022

<b>Applicant / Proponent:</b>	Internal			
<b>Responsible Officer:</b>	Karen McDonald, Finance Manager			
<b>Responsible Manager:</b>	Karen McDonald, Finance Manager			
<b>Executive:</b>	Peter Keane, Chief Executive Officer			
<b>Authority / Discretion:</b>	Advocacy	<input checked="" type="checkbox"/>	Review	<input type="checkbox"/>
	Executive/Strategic	<input checked="" type="checkbox"/>	Quasi-Judicial	<input type="checkbox"/>
	Legislative	<input checked="" type="checkbox"/>	Information Purposes	<input type="checkbox"/>
<b>Attachment(s):</b>	<b>Attachment 3</b> - Summary of Accounts paid for period ending 31 March 2022			

#### *Summary*

Section 13 (2) of Government (Financial Management) Regulations 1996 require that where Local Government has delegated to the CEO the exercise of its power to make payments from the municipal fund or the trust fund or the trust fund, a list of accounts paid by the CEO is to be prepared each month showing detail for each account paid since such list was prepared. This item is presented to Council to advice of payments made for 31 March 2022.

#### *Officer Recommendation*

##### **That Council:**

Receive and accept the Summary of Accounts paid for period ending 31 March 2022 as presented to Council.

**MOVED BY:** Cr John Bromham

**SECONDED BY:** Cr Ben Andrew

**RESULT:** CARRIED /LOST 5 / 0

**RESOLUTION:** OC020622-1833

#### *Background*

As noted in Summary.

#### *Voting Requirement*

Simple Majority

#### *Officer Comment*

The attachment details all payments made for 31 March 2022

#### *Consultation*

Nil

#### *Financial Implications*

As per the declaration within the schedule summary, the accounts have been checked and are fully supported by vouchers and invoices and which have been duly certified as to the receipt of goods and the rendition of service and as to prices, computation and costing(s). Sufficient allocations are contained within the 2022/2023 budget to cover payment of the accounts.

#### *Statutory Environment*

Sections 12 and 13 of the Local Government (Financial Management) Regulations 1996 Apply.

#### *Strategic Implications*

Nil

### Policy Implications

Nil

#### 11.4. Summary of Accounts paid for period ending 30 April 2022

<b>Applicant / Proponent:</b>	Internal			
<b>Responsible Officer:</b>	Karen McDonald, Finance Manager			
<b>Responsible Manager:</b>	Karen McDonald, Finance Manager			
<b>Executive:</b>	Peter Keane, Chief Executive Officer			
<b>Authority / Discretion:</b>	Advocacy	<input checked="" type="checkbox"/>	Review	<input type="checkbox"/>
	Executive/Strategic	<input checked="" type="checkbox"/>	Quasi-Judicial	<input type="checkbox"/>
	Legislative	<input checked="" type="checkbox"/>	Information Purposes	<input type="checkbox"/>
<b>Attachment(s):</b>	<b>Attachment 4</b> - Summary of Accounts paid for period ending 30 April 2022			

### Summary

Section 13 (2) of Government (Financial Management) Regulations 1996 require that where Local Government has delegated to the CEO the exercise of its power to make payments from the municipal fund or the trust fund or the trust fund, a list of accounts paid by the CEO is to be prepared each month showing detail for each account paid since such list was prepared. This item is presented to Council to advice of payments made for 30 April 2022.

### Officer Recommendation

#### That Council:

Receive and accept the Summary of Accounts paid for period ending 30 April 2022 as presented to Council.

MOVED BY: Cr Wendy Dickinson

SECONDED BY: Cr John Bromham

RESULT: CARRIED /LOST 5 / 0

RESOLUTION: OC020622-1834

### Background

As noted in Summary.

### Voting Requirement

Simple Majority

### Officer Comment

The attachment details all payments made for Click here to enter a date.

### Consultation

Nil

### Financial Implications

As per the declaration within the schedule summary, the accounts have been checked and are fully supported by vouchers and invoices and which have been duly certified as to the receipt of goods and the rendition of service and as to prices, computation and costing(s). Sufficient allocations are contained within the Click here to enter text. budget to cover payment of the accounts.

### Statutory Environment

Sections 12 and 13 of the Local Government (Financial Management) Regulations 1996 Apply.

### Strategic Implications

Nil

### Policy Implications

Nil

## 11.5. Schedule of Fees and Charges 2022/2023

<b>Applicant / Proponent:</b>	Internal			
<b>Responsible Officer:</b>	Peter Keane, Chief Executive Officer			
<b>Executive:</b>	Peter Keane, Chief Executive Officer			
<b>Authority / Discretion:</b>	Advocacy	<input checked="" type="checkbox"/>	Review	<input checked="" type="checkbox"/>
	Executive/Strategic	<input checked="" type="checkbox"/>	Quasi-Judicial	<input type="checkbox"/>
	Legislative	<input checked="" type="checkbox"/>	Information Purposes	<input type="checkbox"/>
<b>Attachment(s):</b>	-			

### Summary

Section 6.1 of the Local Government Act 1995 requires a local government to prepare and adopt (in the period June 1 to August 31) an annual budget of its Municipal fund for that same year.

The Schedule of proposed Fees and Charges for the 2022/2023 Financial Year forms part of the 2022/2023 Budget.

### Officer Recommendation

#### That Council:

The Schedule of proposed Fees and Charges (which forms part of the 2022/2023 Budget) is adopted effective as of 1 July 2022.

MOVED BY: Cr Ben Andrew

SECONDED BY: Cr John Bromham

#### That Council:

1. Adopt the Schedule of proposed Fees and Charges (which forms part of the 2022/2023 Budget) effective as of 1 July 2022.
2. Council request the CEO continually monitor and advise Council of any adjustments that may be required to the fees and charges throughout the 2022/2023 financial year.
3. Council request the CEO to develop a communication plan to allow effective communication with key stakeholders on any further changes required with fees and changes and the reasoning behind these required changes.

RESULT: CARRIED ~~LOST~~ 5 / 0

RESOLUTION: OC020622-1835

### Background

With the cessation of Landfill activities at Stanley Road Waste Management Facility in March 2022, the facility is now only operating as a transfer station servicing the communities of Harvey, Bunbury, Dardanup, Capel, Collie and the surrounding region.

In February 2022, fees and charges were adopted to begin the process of progressively increasing gate fees to recover the true cost of the waste management service at the Stanley Road facility, and to ensure the long-term viability of BHRC.

Prior to the changes to fees and charges, several items were only charged as general waste and charges did not reflect the true cost of waste management associated with those items, such as mattresses or tyres.

Seven Councils within the Southwest Region utilise the FOGO processing facility at Banksia Road. Only two of those councils currently have contractual arrangements (Capel – 4-year contract finishing on 30 June 2023 and Dardanup – 1 year contract finishing on 30 August 2022). All other councils are charged according to the annual fees and charges schedule.

#### **Officer Comment**

To continue to progressively align fees and charges to the true cost of operations, it is necessary to make an amendment of the current fees with a variety of waste streams being received at both the Stanley Road Waste Management Facility, ancillary activities associated with the Stanley Road Facility and Banksia Road Organics Processing Facility.

The Amended Schedule of Fees and Charges 2022/2023 will be effective as of the 1<sup>st</sup> July 2022.

#### **Stanley Road Waste Management Facility**

Light Vehicle General Waste charges have been increased 25% from the fee structure introduced in February 2022.

Mattress disposal charges have been increased to reflect the true cost of transport and disposal to an alternate landfill operation. Landfill cost is set at \$45 per mattress plus the cost of transport to the alternative facility.

Couches disposal charge have increased a further \$10 to reflect the true cost of processing, transport and landfill fees per unit.

A Non-Member Council General Waste charge has been added to the fees and charges for the 2022/2023 financial year at a rate 60% higher than for member councils.

Green Waste charges have been increased 25% to reflect the processing costs of the green waste being received through the transfer station.

Rubble / Clean fill Waste charges have been increased 25% to reflect the costs of managing rubble and clean fill through the transfer station.

Introduction of a 30 cubic metre bin hire charge to reflect the true cost of capital for supply of bins.

Introduction of a transport cost per hour, reflecting the true cost of transporting waste or products for customers.

#### **Banksia Road Organics Processing Facility**

Organic Waste (FOGO) charge has been increased 76% to reflect the true cost of processing and contamination/oversize landfill charges. It is proposed that Member councils receive a 10% discount on the standard per tonnage charge. Currently EMRC charge to member councils for the FOGO service is \$98.50 per tonne.

Introduction of a FOGO audit charge to all customers, to reflect the actual cost of conducting an individual audit. No audit service has been commercially agreed with any customers, however, this service is being requested by several Councils to inform their communities of the FOGO contamination performance. Previously (FY19/20) the audits were a component of the Wellington Waste group education fees charged annually to all Bunbury Wellington Regional Councils.

Clean Green waste charges has been increased by 25% to reflect the cost of handling and transport for the Dardanup transfer station facility.

Both Contamination charges and compost charges per tonne remain the same as the previous year.

Processed mulch and unprocessed green mulch charges have been removed.

### Consultation

The Schedule of Fees and Charges for 2022/2023 are to be advertised in the South Western Times and the Harvey Reporter in the first week of June 2022 and Schedule of Fees and Charges for 2022/2023 to be distributed out to Stanley Road Waste Management Facility and Banksia Road Organics Processing Facility customers from 1 June 2022.

### Financial Implications

#### Stanley Road Waste Management Facility

The increase in fees and charges will have positive impact on the cashflow and balance sheet for BHRC. The increase in fees and charges will be passed directly onto customers.

This will have a direct impact on Shire of Harvey due to the reimbursement of charges from the utilisation of tip passes.

#### Ancillary Charges Stanley Rd

The introduction of new publicised fees and charges will have direct impact on all customers utilising BHRC Bin and Transport services.

#### Banksia Road Organics Processing Facility

The increase in gate fees will have a positive impact on the cashflow and balance sheet for BHRC, and meet the cost of providing the service.

The increase in gate fees will have a direct and significant impact on all seven councils for which BHRC provide the composting service.

### Statutory Environment

Section 6.1 of the Local Government Act 1995 applies.

### Strategic Implications

Nil

### Policy Implications

Nil

### Voting Requirement

Absolute Majority

#### Stanley Road Waste Management Facility

	Increase / Decrease %	2022/23 Fees Budget Proposal (Incl. GST)	2021/22 Fees (Incl. GST)	2020/21 Fees (Incl. GST)
<b>LIGHT VEHICLES (General Waste) (Members Only)</b>				
Per Car or Station Wagon	33%	\$25.00	\$20.00	\$15.00
Per Utility or trailer (up to 1.8m x 1.2m)	33%	\$36.00	\$29.00	\$22.00
Per Trailer or large utility (up to 2.1m x 1.2 m or Trailer with sides exceeding 600mm)	33%	\$55.00	\$44.00	\$33.00
Mattresses (Single, Double, Queen or King)	100%	\$60.00	\$30.00	-
Fridges	50%	\$15.00	\$10.00	-



Couches (Single, Double or Triple)	50%	\$30.00	\$20.00	-
<b>LIGHT VEHICLES (General Waste) (Non-Members)</b>				
Per Car or Station Wagon	<i>New</i>	\$40.00	-	-
Per Utility or trailer (up to 1.8m x 1.2m)	<i>New</i>	\$58.00	-	-
Per Trailer or large utility (up to 2.1m x 1.2 m or Trailer with sides exceeding 600mm)	<i>New</i>	\$88.00	-	-
Mattresses (Single, Double, Queen or King)	<i>New</i>	\$70.00	-	-
Fridges	<i>New</i>	\$20.00	-	-
Couches (Single, Double or Triple)	<i>New</i>	\$40.00	-	-
<b>LIGHT VEHICLES (Green Waste)</b>				
Per Car or Station Wagon	25%	\$11.00	\$9.00	\$9.00
Per Utility or trailer (up to 1.8m x 1.2m)	25%	\$19.00	\$15.00	\$15.00
Per Trailer or large utility (up to 2.1m x 1.2m or Trailer with sides exceeding 600mm)	25%	\$31.00	\$25.00	\$25.00
<b>LIGHT VEHICLES (Clean Fill / Rubble Waste)</b>				
Per Utility or trailer (up to 1.8m x 1.2m)	25%	\$7.50	\$6.00	\$6.00
Per Trailer or large utility (up to 2.1m x 1.2m or Trailer with sides exceeding 600mm)	25%	\$7.50	\$6.00	\$6.00
<b>HEAVY VEHICLES (Weighbridge)</b>				
Co-mingled Waste per tonne	<i>Remove</i>	-	\$61.00	\$61.00
<b>Minimum Charge</b>	<i>Remove</i>	-	<b>\$44.00</b>	\$44.00
Mattresses per tonne	<i>Remove</i>	-	\$220.00	\$95.00
<b>Minimum Charge</b>	<i>Remove</i>	-	<b>\$220.00</b>	\$95.00
Co-mingled Skip Waste per tonne	<i>Remove</i>	-	-	\$44.00
<b>Minimum Charge</b>	<i>Remove</i>	-	-	\$44.00
Clean Green Waste per tonne (Maximum Size diameter 500mm)	<i>Remove</i>	-	\$30.00	\$29.00
<b>Minimum Charge</b>	<i>Remove</i>	-	<b>\$30.00</b>	\$29.00
Clean Cardboard Waste per tonne	<i>Remove</i>	-	\$29.00	\$29.00
<b>Minimum Charge</b>	<i>Remove</i>	-	<b>\$29.00</b>	\$29.00
Clean Wood Waste per tonne	<i>Remove</i>	-	-	\$29.00
<b>Minimum Charge</b>	<i>Remove</i>	-	-	\$29.00
Clean Fill – Suitable for Daily Cover and Road Building per tonne	25%	\$1.50	\$1.20	\$1.10
<b>Minimum Charge</b>	<b>25%</b>	<b>\$1.50</b>	<b>\$1.20</b>	\$1.10
Building and Demolition Waste per tonne (No Gyprock or Timber and Maximum Size 500mm)	25%	\$10.00	\$8.00	\$8.00
<b>Minimum Charge</b>	<b>25%</b>	<b>\$10.00</b>	<b>\$8.00</b>	\$8.00
Building and Demolition Waste per tonne (No Gyprock or Timber and Over 500mm)	<i>Remove</i>	-	\$33.00	-
<b>Minimum Charge</b>	<i>Remove</i>	-	<b>\$33.00</b>	-
<b>OTHER WASTE</b>				
Tyres				
• Passenger/Motorcycle (per tyre)	0%	\$8.00	\$8.00	\$3.00
• 4WD/Light Truck (per tyre)	0%	\$12.00	\$12.00	\$5.50
• Truck (per tyre)	<i>Remove</i>	-	\$22.00	\$20.00
• Tyres per tonne	<i>Remove</i>	-	\$390.00	\$330.00
• <b>Minimum Charge</b>	<i>Remove</i>	-	<b>\$115.00</b>	\$99.00

Electronic Waste per tonne	0%	\$850.00	\$850.00	-
<b>Minimum Charge</b>	<b>0%</b>	<b>\$850.00</b>	<b>\$170.00</b>	-
Car Bodies		\$10.00	\$0.00	\$0.00
Special Burial (i.e. Asbestos) per tonne	<i>Remove</i>	-	\$84.00	\$84.00
<b>Minimum Charge</b>	<i>Remove</i>	-	<b>\$84.00</b>	<b>\$84.00</b>
Quarantine Waste per tonne	<i>Remove</i>	-	\$130.00	\$130.00
<b>Minimum Charge</b>	<i>Remove</i>	-	<b>\$130.00</b>	<b>\$130.00</b>
<b>COMPOST &amp; MULCH SALES</b>				
Per Skid Steer Loader Bucket	0%	\$22.00	\$22.00	\$22.00
Per Tonne	0%	\$44.00	\$44.00	\$44.00
<b>CDS</b>				
Per Container Deposit Scheme (CDS) Bale	0%	\$10.00	\$10.00	\$10.00
Per Container Deposit Scheme (CDS) Bag	0%	\$2.50	\$2.50	\$2.50
<b>OTHER MISC</b>				
Weight Only – Weighbridge Docket	5%	\$24.00	\$23.00	\$23.00
30cubic metre bin hire per month	<i>New</i>	\$540.00	-	-
Transport Cost per hour	<i>New</i>	\$125.00	-	-

#### Banksia Road Waste Management Facility

	Increase / Decrease %	2022/23 Fees Budget Proposal (Incl. GST)	2021/22 Fees (Incl. GST)	2020/21 Fees (Incl. GST)
<b>HEAVY VEHICLES (Weighbridge)</b>				
Organic Waste per tonne	76%	\$74.00	\$42.00	\$35.00
<b>Minimum Charge</b>	<b>76%</b>	<b>\$74.00</b>	<b>\$42.00</b>	<b>\$35.00</b>
Member Council FOGO Waste per tonne	66%	\$67.00	\$38.50	\$35.00
<b>Minimum Charge</b>	<b>66%</b>	<b>\$67.00</b>	<b>\$38.50</b>	<b>\$35.00</b>
Clean Green Waste per tonne (Maximum Size diameter 500mm)	33%	\$40.00	\$30.00	\$29.00
<b>Minimum Charge</b>	<b>%</b>	<b>\$40.00</b>	<b>\$30.00</b>	<b>\$29.00</b>
Organic Waste with over 5% Contamination per tonne	0%	\$120.00	\$120.00	\$120.00
<b>Minimum Charge</b>	<b>0%</b>	<b>\$120.00</b>	<b>\$120.00</b>	<b>\$120.00</b>
<b>COMPOST &amp; MULCH SALES</b>				
Compost Sales to Wellington Group of Councils per tonne	0%	\$27.50	\$27.50	\$34.00
10mm Compost per tonne	0%	\$27.50	\$27.50	\$37.00
Processed Mulch per tonne	<i>Remove</i>	-	\$27.50	\$35.00
Green Mulch Unprocessed per tonne	<i>Remove</i>	-	\$22.00	\$22.00
<b>OTHER CHARGES</b>				
FOGO Waste Audit (per Audit)	<i>New</i>	\$6,220	-	-

## 11.6. Transfer from Rehabilitation Reserve Funds to Operational Account

<b>Applicant / Proponent:</b>	Internal			
<b>Responsible Officer:</b>	Peter Keane, Chief Executive Officer			
<b>Responsible Manager:</b>	Peter Keane, Chief Executive Officer			
<b>Executive:</b>	Peter Keane, Chief Executive Officer			
<b>Authority / Discretion:</b>	Advocacy	<input checked="" type="checkbox"/>	Review	<input type="checkbox"/>
	Executive/Strategic	<input checked="" type="checkbox"/>	Quasi-Judicial	<input type="checkbox"/>
	Legislative	<input checked="" type="checkbox"/>	Information Purposes	<input type="checkbox"/>
<b>Attachment(s):</b>	<b>Attachment 5</b> – Extract from LG Act 1997; Subsection 6.11			

### *Summary*

As a result of the diversion of both City of Bunbury (CB) and Shire of Harvey (SH) municipal waste streams from 1 February 2022 (to preserve available landfill capacity for transfer waste), the consequence to BHRC is the shortfall in short to medium term cash flow, and therefore short to medium term financial viability of BHRC.

To ensure BHRC does not trade insolvently during the early period of FY 2022 / 2023, and adequate funds are available to support BHRC's current activities, BHRC is recommending that a redistribution of reserve funds from rehabilitation to support the short-term ongoing BHRC Operations and Management, as per the Local Government Act Section 6.11

### *Executive Recommendation*

#### **That Council:**

Endorses the redistribution of Rehabilitation Reserve funding to support short term Operations, Engineering and Licence Maintenance activities for the sum of contribution of up to \$300,000, as per section 6.11 of the Local Government Act 1997.

**MOVED BY:** Cr John Bromham

**SECONDED BY:** Cr Wendy Dickinson

**RESULT:** CARRIED / ~~LOST~~ 5 / 0

**RESOLUTION:** OC020622-1836

### *Background*

With the negative revenue impacts of:-

- non-acceptance of commercial waste, in compliance to the EPN;
- diversion of municipal and transfer station waste to alternate landfill facilities

and the additional and ongoing expenses associated with:-

- Transfer Station waste being landfilled at an alternate landfill facility with associated gate fees;
- the Contaminated Site Investigation;
- Environmental Engineering and investigation fees associated with the development and submission of amendments and license renewals (2 off – 1 for Stanley Road, 1 for Banksia Road)

will put a significant strain on the medium-term financial viability of BHRC, and will require contributions from member councils under the constitution, to support any shortfall between income and expenses incurred.

### *Discussion*

Currently member councils are working with BHRC to determine the most appropriate approach to funding BHRC's medium term shortfall between operating income & expenses, licence non-compliance liabilities and assessing the viability of the Lined Cell Business Case.

In developing funding options to support BHRC ongoing activities, Member Councils are working toward the finalisation and endorsement of their individual Council's budgets for the Financial Year 2022/23.

Until the respective budgets have been formally endorsed by Councils, BHRC will not formally request an annual contribution for FY22/23 from each member council to support its operating activities. In the meantime, with the transfer from funds from the rehabilitation reserve, BHRC can be self-sustaining into the new financial year with this minor cash injection into operating accounts.

Current Rehabilitation Reserve - \$1.798M minus \$170K (resolved in April Special Council Meeting).

### Consultation

Project Director - BHRC

Finance Manager - City of Bunbury

CEO – Shire of Harvey

CEO – City of Bunbury

Director Infrastructure - City of Bunbury

Director Infrastructure Services - Shire of Harvey

Chairperson BHRC

Deputy Chairperson BHRC

### Financial Implications

Reduction in the Rehabilitation Reserve – potentially member councils will need to contribute greater than endorsed sum of \$6M to capping activities.

### Risk

Risk Matrix							
			CONSEQUENCE				
			INSIGNIFICANT	MINOR	MODERATE	MAJOR	CATASTROPHIC
			1	2	3	4	5
LIKELIHOOD	5	ALMOST CERTAIN	MODERATE 5	HIGH	EXTREME 15	EXTREME 20	EXTREME 25
	4	LIKELY	LOW 4	MODERATE 8	HIGH 12	EXTREME 16	EXTREME 20
	3	POSSIBLE	LOW 3	MODERATE 6	MODERATE 9	HIGH 12	EXTREME 15
	2	UNLIKELY	LOW 2	LOW 4	MODERATE 6	MODERATE 8	HIGH 10
	1	RARELY	LOW 1	LOW 2	LOW 3	LOW 4	MODERATE 5

Business Continuity risk – Extreme 25

Rehabilitation Capital Requirements – High 12

### Statutory Environment

Local Government Act 1995 (WA)

Local Government (Financial Management) 1996 (WA)

WA Environmental Protection Act 1986 (WA)

Contaminated Sites Act 2003 (WA)

### Strategic Implications

Potential loss of a Regional Waste Recovery facility

### Policy Implications

Nil

### Voting Requirement

Absolutely Majority

**12. Elected Member motions of which previous notice has been given**

Nil

**13. Urgent business approved by the person presiding or by decision of the Council**

Nil

**14. Confidential Business (Meeting Closed to the Public)**

Nil

**15. Next Meeting**

The next meeting is scheduled for Thursday, 28 July 2022 at Stanley Road Waste Management Facility, Lot 45 Stanley Road, Wellesley, commencing at 4.15pm.

**16. Close of Meeting**

The Presiding Member declares meeting closed at 5.13pm.

UNCONFIRMED